

REMARKS

Entry of the foregoing and reconsideration of the subject application are respectfully requested in light of the comments which follow.

Claims 1 and 6-17 were pending in this application. In this response, claim 1, 7 and 15 have been amended and claim 6 canceled. Thus, claims 1 and 7-17 remain pending.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: the original claims.

CLAIM OBJECTIONS

Claim 1 is objected to because of informalities. Claim 1 has been amended to rephrase the tense from the awkward "nitriding" to the term "nitrided". The amendment does not change the scope of the claim. Reconsideration and withdrawal of the objection is respectfully requested.

DOUBLE PATENTING REJECTION

Claims 1 and 6 to 17 stand provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-11 of US. Patent No. 6,475,307 to Nystrom (hereafter "*Nystrom*") in view of US. Patent No. 5,241,748 to Ishida (hereafter "*Ishida '748*") or U.S. Patent No. 5,308,089 to Ishida (hereafter "*Ishida '089*") and further in view of WO 01/79585 (hereafter "*WO '585*") on the grounds set forth at page 3 of the Official Action. Accompanying this submission is a properly executed terminal disclaimer over

U.S. Patent No. 6,475,307. Reconsideration and withdrawal of the double patenting rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1 and 8-13 and 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,630,103 to Martin (hereafter "*Martin*") and Japanese Patent Application No 402310339 (hereafter "*JP '339*") or Japanese Patent Application No 407011391 (hereafter "*JP '391*") in view of "Ishida '748" or "Ishida '089" for the reasons presented at page 5 of the Official Action. Claims 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Martin, "*JP '339*" or "*JP '391*" in view of "Ishida '748" or "Ishida '089" as applied to claims 1, 8 to 13 and 15-17 above, and further in view of "WO '585" for the reasons presented at page 7 of the Official Action. Reconsideration and withdrawal of both of these rejections are respectfully requested.

The present rejections have been obviated by the amendments to independent claims 1 and 15 whereby the feature of the stainless steel including quasicrystalline particles in a martensitic microstructure has been added to the independent claims. This feature is originally found in claim 6, a claim not subject to rejection by these cited references. Therefore, each pending claim distinguishes of these cited references for at least the same reason.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the

undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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